



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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David Dunn & Jan Bodbacka

Serial No. : 10/608,630

For : WEAR LEVEL INDICATING FILAMENTS AND
FABRICS (AND GUIDELINE APPLICATIONS)

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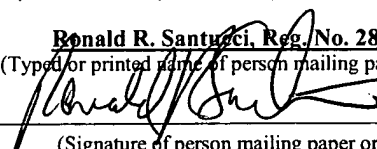
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Ronald R. Santucci, Reg. No. 28,988
(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION (37 C.F.R. 1.321(b) AND STATEMENT UNDER 37 C.F.R. 3.73(b))

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This paper is being submitted in order to overcome rejection of the claims, based upon obvious type double patenting over commonly assigned U.S. Patent No. 6,786,243 B2.

REMARKS

I, RONALD R. SANTUCCI, REG. NO. 28,988, declare that I am an attorney of record in this application and that I am authorized to execute terminal disclaimers on behalf of ALBANY INTERNATIONAL CORP. ("ALBANY");

That ALBANY is the assignee of the entire right, title and interest in, to and under U.S. patent application Serial No. 10/608,630 filed June 27, 2003 ("the instant application") by virtue of the assignment from the inventor to ALBANY on October 6, 2003, which was recorded at the U.S. Patent and Trademark Office on April 5, 2004 at Reel 15186, Frame 048;

That ALBANY is the assignee of the entire right, title and interest in, to and from U.S. Patent No. 6,786,243 B2, filed June 11, 2002 as U.S. Patent Application Serial No. 10/167,100, by virtue of an assignment from the inventor to ALBANY on August 7, 2002, which was recorded at the U.S. Patent and Trademark Office on August 16, 2002 at Reel 13202, Frame 638;

That ALBANY hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of U.S. Patent No. 6,786,243 B2;

That ALBANY hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,786,243 B2 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

No terminal part of any patent granted on the instant application is disclaimed prior to the full statutory term of U.S. Patent No. 6,786,243 B2, in the event that said patent earlier expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled

by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

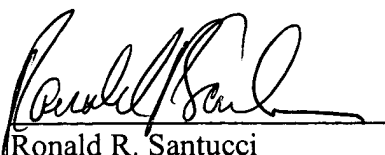
In accordance with 37 C.F.R. § 3.73, the undersigned states that evidentiary documents evidencing the chain of title from the original owner to the assignee have been reviewed and certifies that, to the best of his or her knowledge and belief, title is in the assignee seeking to take the action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Accordingly, it is respectfully requested that the non-statutory double patenting rejection be withdrawn.

A check in the amount of \$130.00 for the filing of a Terminal Disclaimer is enclosed herewith. The Commissioner is authorized to charge any additional fees that may be required to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
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